

EMERGENCY TELEPHONE SERVICE COMMITTEE MEETING

Held at Clinton County Courthouse

St. Johns, Michigan

February 21, 2001

10:00 a.m.

MINUTES

MEMBERS PRESENT	REPRESENTING
Mr. Dale Berry	Michigan Association of Ambulance Services
Mr. John Buczek	Fraternal Order of Police
Chief William Corbett	Public Member, Senate Appointed
Mr. Hugh Crawford	Michigan Association of Counties
Ms. Kelly Fennell	Telecommunications Association of Michigan
Mr. Ralph Gould	Michigan Communications Directors Association
Sheriff Dale Gribler	Michigan Sheriffs' Association
Ms. Suzan Hensel	Assn. of Public Safety Communications Officials
Mr. Paul Hufnagel	Michigan Professional Firefighters Union
Lt. Jim Hull	Deputy Sheriffs' Association
Mr. John Hunt	Public Member, Governor Appointed
Lt. Col. Stephen Madden	Department of State Police
Ms. Marilyn Moore	Michigan Public Service Commission
Mr. Charles Nystrom	Public Member, House Appointed
Mr. John Patrick	Department of Consumer and Industry Services
Mr. Paul Rogers	National Emergency Number Association
Mr. Scott Temple	Commercial Mobile Radio Service
Sgt. Mark Thompson	Michigan State Police Troopers Association
Chief Paul Trinko	Michigan Association of Fire Chiefs

MEMBERS ABSENT	REPRESENTING
Chief James Bartholomew	Michigan Association of Chiefs of Police
Mr. Robert Struck	UP Emergency Medical Service Corp.

This meeting of the Emergency Telephone Service Committee (ETSC) was convened by Lt. Colonel Madden at 10 a.m.

NEW MEMBERS

The following new members were welcomed to the Committee for 2001:

- Mr. Hugh Crawford, Oakland County Commissioner; representing the Michigan Association of Counties (MAC)
- Mr. Ralph Gould, Grand Rapids Police Department; representing the Michigan Communications Directors Association (MCDA)
- Sgt. Mark Thompson, Michigan State Police; representing the Michigan State Police Troopers Association (MSPTA)
- Ms. Kelly Fennell, Ameritech; representing the Telecommunications Association of Michigan
- Chief James Bartholomew, Whitehall Police Department; representing the Michigan Association of Chiefs of Police

2001 ELECTION OF OFFICERS

MOTION to elect Lt. Col. Stephen Madden as ETSC Chair for 2001. MOTION CARRIED unanimously.

MOTION to elect Mr. Paul Rogers as ETSC Vice Chair for 2001. MOTION CARRIED unanimously.

APPROVAL OF MINUTES

MOTION to approve the minutes of the November 29, 2000, ETSC meeting. A vote was taken and the MOTION CARRIED.

REPORTS

A. MSP REPORT

CMRS Emergency Telephone Fund Balances

The Committee was provided with a spreadsheet detailing CMRS fund collections and distributions to date. Also provided was a summary of first-year payments to counties.

County List of Phase I Implementation Status

A list of counties was provided which shows the date of each county's final 9-1-1 service plan, the date the county requested Phase I, and the date Phase I was implemented. This list has been posted on the ETSC web site and will be updated as information is provided. Updates should be provided to Denise Fox or Linda Cwiek.

Non-Disclosure Agreement

As directed by the ETSC at its last meeting, the sample Non-Disclosure Agreement was amended to include the word "template" and was distributed to County Commissioners, County 9-1-1 Coordinators, PSAP Directors, CMRS Suppliers, and Telephone Companies on December 14, 2000.

New Area Code Effective 4/7/2001

Effective April 7, 2001, the existing 517 area code will be divided into two separate area codes: 517 and 989. The southern portion of the area will keep 517 while the northern portion will change to 989. A listing of telephone number prefixes that will change to 989 was distributed. There will be a six-month optional dialing period, or "grace period." During this six-month period, callers can complete calls by using either the 517 or 989 area code. Effective October 6, 2001, it will be necessary to use the 989 code when calling the affected area. A question was raised as to the specific time of day the change will occur. (Subsequent to the meeting, contact was made with the Michigan Public Service Commission. MPSC recommends that individuals with specific questions regarding the cut-over contact their local carrier(s). Information regarding this area code change and others pending in Michigan can be found on the internet at www.codefinder.com/mibqframe.html.)

B. POLICY SUBCOMMITTEE REPORT

Mr. Hunt presented the subcommittee's recommendations to amend the ETSC Bylaws as follows (changes noted in caps):

5. *The rules of procedure for the Committee AND ANY SUBCOMMITTEES shall be Robert's Rules of Order unless superceded by these bylaws.*
6. ~~SUBCOMMITTEES The Chairperson, with the approval of the Committee, may establish subcommittees and designate members to serve on them. :~~
 - a. **THE CHAIRPERSON OF THE ETSC, WITH APPROVAL OF THE ETSC, MAY ESTABLISH SUBCOMMITTEES AS NEEDED, AND DESIGNATE THE SUBCOMMITTEE CHAIR.**
 - b. **THE CHAIRPERSON OF A SUBCOMMITTEE MUST BE A MEMBER OF THE ETSC.**
 - c. **THE CHAIRPERSON OF THE SUBCOMMITTEE, WITH THE CONCURRENCE OF THE CHAIRPERSON OF THE ETSC, SHALL DESIGNATE MEMBERS SERVING ON THE SUBCOMMITTEE. OTHER THAN THE CHAIRPERSON, MEMBERS OF A SUBCOMMITTEE NEED NOT BE ETSC MEMBERS. INDIVIDUALS INTERESTED IN SERVING ON THE SUBCOMMITTEE MUST SUBMIT A WRITTEN REQUEST TO THE CHAIRPERSON OF THE SUBCOMMITTEE EXPRESSING SUCH INTEREST AND STATING ANY PERTINENT AFFILIATIONS.**
 - d. **ONLY DULY DESIGNATED MEMBERS OF A SUBCOMMITTEE MAY VOTE ON ISSUES BEFORE THE SUBCOMMITTEE.**

e. A QUORUM MUST BE PRESENT TO HOLD AN OFFICIAL MEETING. A QUORUM SHALL CONSIST OF A SIMPLE MAJORITY OF THE DESIGNATED MEMBERS OF THE SUBCOMMITTEE.

f. THE SUBCOMMITTEE CHAIR SHALL ISSUE MEETING MINUTES FOR EACH SUBCOMMITTEE MEETING HELD, AND SHALL FORWARD SUCH MINUTES, NO LATER THAN 14 BUSINESS DAYS PRIOR TO THE NEXT SCHEDULED COMMITTEE MEETING, TO THE COMMITTEE CHAIR FOR DISTRIBUTION TO THE COMMITTEE.

g. A MEMBER OF A SUBCOMMITTEE MAY BE REMOVED IF MORE THAN TWO SUBCOMMITTEE MEETINGS ARE MISSED WITHOUT PRIOR WRITTEN NOTICE TO THE CHAIRPERSON OF THE SUBCOMMITTEE.

h. MEMBERSHIP OF EACH SUBCOMMITTEE SHALL BE REVIEWED ANNUALLY BY THE CHAIRPERSON OF THE COMMITTEE AND THE CHAIRPERSON OF THE SUBCOMMITTEE.

i. A SUBCOMMITTEE SHALL MAKE A REPORT/RECOMMENDATION TO THE COMMITTEE AFTER THE MATTER HAS PASSED WITH A MAJORITY VOTE OF THE SUBCOMMITTEE. THE SUBCOMMITTEE CHAIR, OR THE CHAIR'S DESIGNEE, SHALL PRESENT THE REPORT/RECOMMENDATION AT THE NEXT SCHEDULED COMMITTEE MEETING OR A SPECIAL MEETING DULY CALLED BY THE COMMITTEE CHAIR.

j. A MINORITY OF THE SUBCOMMITTEE CAN MAKE A REPORT/RECOMMENDATION TO THE COMMITTEE AFTER THE SUBCOMMITTEE MAKES ITS REPORT/RECOMMENDATION TO THE COMMITTEE, BUT IT CANNOT BE ACTED ON UNLESS A COMMITTEE MEMBER MAKES A MOTION AND GAINS SUPPORT TO SUBSTITUTE IT FOR THE REPORT/RECOMMENDATION OF THE SUBCOMMITTEE.

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10. *Business of the Committee AND ANY SUBCOMMITTEES shall be in compliance with the Open Meetings Act (Act No. 267 of the Public Acts of 1976).*

Mr. Hunt also recommended that the word "ETSC" be changed to "Committee" in 6 (a), (b), and (c) to make the wording consistent with the rest of the Bylaws.

Ms. Hensel questioned how this proposed revision would affect the standing subcommittees. Mr. Hunt advised this had not been discussed; however, standing subcommittees would fall under 6 (h), the subsection that provides for annual review of each subcommittee's membership.

MOTION to support the proposed revisions to the ETSC Bylaws. MOTION PASSED unanimously.

C. DISPATCHER TRAINING AND CERTIFICATION SUBCOMMITTEE REPORT

Mr. Charles Nystrom now chairs the Dispatcher Training and Certification Subcommittee. Mr. Nystrom presented a report of the subcommittee's recent activities. Two minor changes to the report were noted. Under Item 4, (6), the word "basis" should be changed to "basic." Under Item 6, the word "Wolf" should be changed to "Ross."

Among the subcommittee's recommendations is that only personnel employed by primary PSAPs (wireline or wireless) established in Section 401 (12) (a) (b) (c) are to be included in the FTE count as eligible for funds.

Three work groups have been established to identify training criteria and guidelines:

- Operational: Suzan Hensel, Cher'ie White, Ellie Florn, and James Fyvie
- Management/Supervision: James Bolger, William Charon, and Harriet Miller-Brown
- Technical: Stephen Todd, Paul Rogers, and Gary Brozewski

Item 4 (4) of the subcommittee report indicates that the registration form to request training funds must be signed by the county's chief administrative office, the PSAP administrator, and the chief financial officer.

Ms. Dawn Adams, Muskegon County Central Dispatch, requested this requirement be changed to accommodate those situations where the dispatch center is an independent authority, separate from the

county. Mr. Todd advised that this change will be reflected in the subcommittee's final recommendations to the committee.

Ms. Cathy McCormick, Community EMS, asked if the subcommittee was moving toward establishing minimum standards and, if so, if those standards would be required for secondary PSAPs. Mr. Joseph VanOosterhout, Marquette County Central Dispatch, encouraged the committee to proceed cautiously in considering training standards and their potential impact on Upper Peninsula dispatch centers. Ms. Hensel indicated that the committee's focus at this time is to develop guidelines for dispatcher training and not minimum standards. It is important not to blur the two. While minimum training standards may be discussed at some point in the future, they are not under consideration at this time.

Lt. Colonel Madden advised that he has informed Mr. Nystrom by letter that the Michigan State Police intends to request training funds for MSP dispatchers.

D. WIRELESS IMPLEMENTATION SUBCOMMITTEE REPORT

Ms. Suzan Hensel presented three documents for adoption by the ETSC: Congestion Control Statement; Revised Grade of Service Policy; and Appeals Process for Challenges to Unallowable Expenditures of Wireless Funds.

The subcommittee's report also included a request to have the ETSC resolve the issue of whether or not additional trunks to PSAPs for the purpose of delivering wireless 9-1-1 calls is an allowable expense incurred by a CMRS and eligible for reimbursement from their fund.

Revised Grade of Service Policy: The Committee discussed at length the draft Revised Grade of Service Policy which proposes that P.01 be adopted for wireless one year from the date of the policy if no other standard can be identified within that time period. It was the consensus of many that the P.01 grade of service standard does not work well in the cellular environment. Mr. Temple opposes any language that applies P.01 to the wireless industry. In instances where a system may be simultaneously flooded with hundreds of calls resulting from one incident, it would be impossible for the wireless technology or the PSAP to handle every call. PSAPs are concerned about those legitimate emergency calls that may not get through during times when the system is being flooded by wireless callers reporting a single incident. Mr. Hunt asked what part of the system the P.01 standard applies to. Mr. Mike Sexton, Michigan NENA president, advised that P.01 goes from the mobile switch to the router. It is believed that the National Emergency Number Association (NENA) may have a P.01 policy that includes provisions for wireless 9-1-1. The Committee will attempt to obtain a copy of this policy, if it does exist. (NOTE: It was subsequent to this meeting that National NENA does not yet have a standard in place. Discussions will take place in March.)

Lieutenant Hull questioned the rationale for adopting this Grade of Service policy now and then having to revisit it in one year. Mr. Gould indicated this issue is a major stumbling block for wireless implementation and the subcommittee believes this policy will help keep the Committee's attention focused on identifying a workable solution.

Mr. Gould advised that there has been no study done to identify what percentage of wireless calls received regarding a single incident provide new, worthwhile information about the incident and that there may be a request made to National NENA to assist in undertaking such a study.

Mr. Hunt questioned whether this draft document should be sent through the Policy Subcommittee for review. Lt. Colonel Madden indicated he views it as more of a proposal than a policy and suggested changing the title of the document.

No formal action was taken by the Committee on the subcommittee's recommendation to adopt this policy or distribute it to CMRS, Telcos, counties, and PSAP managers for their use.

Congestion Control Statement: Mr. Hunt asked if the subcommittee has plans to recommend how wireless traffic will be routed to PSAPs—over the same trunks as wireline or over separate trunks? Ms. Hensel advised that the draft Congestion Control Statement under consideration covers what the committee needs to address at this time. It is designed to help PSAPs understand parameters and give them direction as they work to implement Phase I wireless.

MOVED AND SECONDED by Mr. Rogers that the Committee accept the Congestion Control Statement.

Mr. Hunt asked for a point of clarification on whether the Committee must wait 30 days before taking action. The Congestion Control Statement is not a policy, but a recommendation; the ETSC has no authority to require compliance. Mr. Hunt asked that the Committee define "policy" versus "standard" and clarify which actions require 30-day advance notice to Committee members. Lt. Colonel Madden referred this to the Policy Subcommittee for review. Ms. Hensel requested the motion be amended to include the

subcommittee's recommendation that the statement be distributed to counties and PSAP managers for their use. Mr. Rogers agreed and rephrased his motion as follows: AMENDED MOTION that the Committee accept the Congestion Control Statement and distribute it to counties and PSAP managers for their use. The amended motion was not seconded and no further action was taken by the Committee. Appeals Process for Challenges to Unallowable Expenditures of Wireless Funds: Ms. Hensel requested that Item 3 of the draft be amended to reflect that the Wireless Subcommittee Chair would serve as one of the three members of the subcommittee designated to review appeals. This document rises to the policy level. Committee members were asked to review the draft and be prepared to address it at the next ETSC meeting.

E. RECERTIFICATION SUBCOMMITTEE REPORT

At the last ETSC meeting, the Chair asked this subcommittee to address what counties must do to be certified for second year funds. The subcommittee recommends the following be adopted by the Committee:

1. *To be compliant with Michigan P.A. 78, a county must, at a minimum, prior to May 1, 2001:*
 - A. *Provide ETSC with documentation that a tentative 911 plan, whether new, amended, or revised, has been approved by that county's board of commissioners. It is acceptable, under this provision, that the final plan approval be pending, and;*
 - B. *The tentative 911 plan or final 911 plan must incorporate a reference to FCC Docket 94-102, the wireless emergency service order.*
2. *To be compliant with the wireless emergency service order (94-102) a county must, prior to May 1, 2001:*
 - A. *Make a written request for Phase 1 wireless 911 to the service providers for their county, and;*
 - B. *Have a primary PSAP capable of receiving and utilizing the requested data elements within the required six month implementation time frame, and;*
 - C. *Notify ETSC, in writing, of that request.*

There is concern that recommendation two will exclude several counties from eligibility for recertification to receive 2001 wireless funds. The Committee asks that ETSC consider supporting a recommendation to MSP to allow those excluded counties to receive appropriate monies from the \$.03 fund so they may continue their efforts to implement 911 and wireless 911 services for their counties.

Ms. Hensel has received calls from many county and PSAP representatives asking for direction on second year certification. Some counties contend that the language of their final 9-1-1 plan is fluid enough to provide for any new technologies, including wireless. Ms. Hensel has asked these counties to provide her with the specific language from their plan, and the subcommittee will review this issue further. By statute, the Committee certifies to the Department of Treasury annually which counties are in compliance. If a county has not met the requirements for certification by the May 1, 2001 deadline, they will not be eligible for any second-year funding. The Department of Treasury bases its distribution formula on the number of counties certified by the ETSC as eligible for that year. There are no provisions in the statute to set aside any funds for counties that may come into compliance mid-year.

In counties with multiple PSAPs, it is the responsibility of the county to amend its final 9-1-1 service plan and request wireless funds. P.A. 32 is clear that this is a county-based program and PSAPs are not eligible to request or receive funds directly from Treasury.

ETSC, NENA, APCO, MCDA, and others have been working for more than a year to ensure every county and PSAP in Michigan is aware of the requirements of the 1999 wireless legislation. The ETSC sent letters on March 28, 2000, and August 17, 2000, to all county commissioners, county 9-1-1 coordinators, and PSAP directors advising them that a county must have in place a final 9-1-1 service plan which includes implementation and compliance with the wireless emergency service order and 1986 P.A. 32, as amended, to be eligible for second-year funds. ETSC meeting minutes are routinely sent to all county commissioners, 9-1-1 coordinators, and PSAP directors. There is still adequate time for every county and PSAP in the state to come into compliance if they take action now.

NENA, AMUG, and ETSC are sponsoring a Michigan Wireless 9-1-1 Implementation Seminar on March 28 in Mt. Pleasant to help address this and other wireless implementation issues. Information regarding the seminar can be obtained by calling Ms. Linda Cwiek at (517) 336-6163 or by visiting the seminar web site at www.nena9-1-1.org/michigan/wireless%20seminar.

Mr. Sexton advised that some Upper Peninsula counties are moving forward to get their 9-1-1 systems operational, but they won't be ready within six months. They will be excluded until they are ready to accept Phase I. This is the basis for the subcommittee's recommendation that MSP consider using some of its \$.03 Fund monies to assist these counties in implementing their 9-1-1 programs. Lt. Colonel Madden cautioned that any expenditure of \$.03 Funds requires legislative approval which will take considerable time. (Lt. Colonel Madden provided additional information regarding the \$.03 Fund later in this meeting as reflected below in these minutes.)

Mr. Hunt recommended the wording of Item 2 be changed to replace the wording "wireless emergency service order (94-102)" with "ETSC requirements for recertification."

MOTION that these minutes, as amended by Mr. Hunt's suggestion, be adopted as the Committee's course of action. MOTION PASSED with one "no" vote.

F. CMRS SUBCOMMITTEE REPORT

No CMRS invoices have been submitted for reimbursement to date. As the new Michigan Association of Counties representative, Mr. Hugh Crawford will also serve as a member of the CMRS Subcommittee. With Chief Fred Rogers' resignation from the subcommittee, the public agency representative seat is now vacant. According to P.A. 32, this seat is to be held by "one member of the committee who represents a public safety agency who is not associated with the service supplier industry." Those ETSC members who qualify and are interested in serving on this subcommittee are asked to notify Lt. Colonel Madden's office. The list of interested candidates will be presented to the full Committee for vote at the next meeting.

DISCUSSION

A. SUNSET OF \$.03 MSP PRIORITY FUND

The \$.03 MSP priority fund portion of the wireless E9-1-1 surcharge is scheduled to sunset two years from the effective date of the legislation, on June 29, 2001. Lt. Colonel Madden recommended that the ETSC notify CMRS suppliers by letter of this upcoming change in the service charge amount. A draft letter was provided for consideration. This notification is not required by law, but would be done as a courtesy to CMRS suppliers.

MOTION that the Committee approve distribution of the draft letter to CMRS suppliers. MOTION CARRIED unanimously.

Committee members were provided with a summary of suggestions received to date on possible uses for the \$.03 MSP Priority Fund. Lt. Colonel Madden advised that the Michigan State Police intends to develop an RFP (request for proposal) to hire a contractor to evaluate the state of 9-1-1 in Michigan and make recommendations for use of these funds. One or two ETSC members will be asked to assist in this process. To date, several suggestions have been received from various sources, including requests from several counties for funds to pay for additional personnel and purchase equipment, mapping software, etc. These requests will be all given consideration as MSP develops its list of recommendations for submission to the Legislature.

Mr. Gould noted that representatives from the Upper Peninsula have requested funds be allotted to establish teleconferencing capabilities for ETSC and ETSC subcommittee meetings. Mr. Gould offered his support for this suggestion.

B. WARRANT ENTRY

Lt. Colonel Madden received a letter dated December 6, 2000, from Sheriff James Marquardt, Alpena County, advising that effective January 1, 2001, Alpena 9-1-1 operators would no longer enter warrants for police agencies in the area. Sheriff Marquardt was advised by the Alpena 9-1-1 Director that the ETSC will not allow warrants to be entered by 9-1-1 dispatchers. In his letter, Sheriff Marquardt asked the ETSC to "stay the order" of the 9-1-1 director for a period of six months until their courts are able to enter the warrants. Lt. Colonel Madden asked for Committee members' opinions on this issue.

Ms. Hensel believes that services provided by any PSAP are under local control and the ETSC should not dictate what those functions should be.

Mr. Rogers stated that some centers have never entered warrants and don't believe it is their responsibility. Eaton County is a full-service dispatch center and they do warrant entry. While paperless entry at the court level would be preferable, until that occurs his center will continue to enter warrants. He believes this is an essential function as part of his responsibility to ensure the safety of officers in the field. Mr. Rogers agrees with Ms. Hensel that this is a local issue.

Mr. Hunt believes that dispatchers who are fully funded by the surcharge should not be performing non-911 functions.

Lt. Colonel Madden will advise Sheriff Marquardt and any others who inquire that the ETSC has declined to take a formal position on this issue as it is one of local control.

C. CHAIR'S COMMENTS

The Committee has two major issues to address in 2001: second-year certification and \$.03 MSP Priority Fund. The ETSC has made considerable efforts to notify counties of their responsibilities under the 1999 wireless legislation and will continue to do so. The responsibility now rests with the county commissioners to ensure that 9-1-1 issues are addressed within their counties. ETSC members and others actively involved in the process should continue to promote discussions and information sharing wherever possible.

In regard to the \$.03 Fund, there are considerable dollars available in the fund to move 9-1-1 wireline and wireless into the new millennium. The Michigan State Police is committed to ensuring this money is spent to best serve the needs of 9-1-1 in Michigan.

PUBLIC COMMENT

None.

NEXT MEETING

Tuesday, May 22, 2001, beginning at 10:00 a.m., Continental Room, Amway Grand Hotel, Grand Rapids; to be held in conjunction with the Annual 9-1-1 Conference. Lt. Colonel Madden will not be present as he has a prior commitment out-of-state. Mr. Paul Rogers, ETSC Vice Chair, will chair the May meeting. Information regarding the Annual 9-1-1 Conference can be found on the NENA web site at www.nena9-1-1.org/michigan.

The meeting adjourned at 12:25 p.m.

Approved:

Stephen D. Madden, Chair
Emergency Telephone Service Committee